

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF ARKANSAS

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

JUL 29 2019

JAMES W. McORMACK, CLERK
By: SS DEPT. CLERK

MARCUS DEANGELO JONES, A/k/A,
MARCUS DEANGELO LEE,

Petitioner.

vs.

Case No. 2:19-cv-00096-KGB-JTR

DEWAYNE HENDRIX, Warden,

Respondent.

AFFIDAVIT OR DECLARATION OF MARCUS DEANGELO JONES

I Marcus Deangelo Jones a/k/a Marcus Deangelo Lee, do hereby depose,
declare and State the following:

1. I am the Petitioner in this Case. I am over the age of 18 years
of age. I have been in the Custody of the Federal Bureau of Prisons since
2001. I am fully competent and have personal knowledge of the facts in this
Affidavit/Declaration.

2. I am currently serving a 330 month aggregated sentence to be followed
by 5 years of Supervised release. The larger and relevant sentence is a 327
month sentence for being a felon in possession of a firearm in violation of
18 U.S.C. §922(g); 924(e); and making a false Statement in Connection with
the purchase of a firearm in violation of 18 U.S.C. § 922(a)(6) and 924(a).
See (Exhibit #A pg.s 1-3, Indictment)

3. I plead not guilty to the charges and proceeded to trial. I was
not put on notice by the indictment or the Court that the Government was required
to prove that I "knowingly" violated the statute concerning my status and
the Court did not require the Government to prove a "Knowing" violation of

the law in giving the jury instructions. See (Exhibit #E pgs. 7-8, Jury Instruction except of the Trial Transcript).

4 Whenever I was stopped by the Police, and was in possession of the Firearm. I notified the Police of my Possession. Because I did not believe that my possession of the firearm violated any laws. See (Exhibit #B pgs.1-7. Trial Transcript Excerpt of Testimony of Officer M. Buckner).

5. On 8-16-99, I was stopped by Police Officer Buckner and other Officers of the Columbia Police Department. I did not coceal the firearm, because I thought my actions were legal. Again on 10/9/99, I informed the Officer of my possession of the firearm, during an act of self-defense.

6. I never changed my name with the intent to deceive anyone. My name change was out of my control.

7. In 1978, the State Juvenil Court ordered my name to be changed from Marcus DeAngelo Lee to "Marcus Deangelo Jones". (Exhibit #D pg. 3).

8. The Tennessee Department of Health Vital Record Division did not issue a New birth Certificate or Execute the name change until 1999. See (Exhibit #D pgs. 1-2)

9. I had no control over my name change that was ordered in 1978. I had no knowledge of that order. I was only 3 years old at that time.

10. I had no knowledge of the existence of my prior conviction until I was informed that they existed at the time of my arrest at my place of employment by Officer Ben White of the Clumbia Police Department.

11. When I went to inquire about the purchase of the Firearm, I informed the Pawnshop Owner that, my prior conviction were suppose to have been expunged when we discussed a question on the firearms application in which I wrote

a yes on the firearms form. I was then told, not to complete the form, and go through the background check, and if the prior convictions were expunged the background check would not show the conviction and I could purchase the weapon, but If the prior convictions exist that I could not purchase the weapon. See (Exhibit #E pgs. 3-6)

12. I provided the Pawnshop Owner and the Sheriff's Office a copy of My State Identification containing my Social Security number.

13. Both the Pawnshop Owner and Sheriff's Department conducted background checks and informed me that I could legally and lawfully possess a firearm.

14. The Pawnshop Owner and sheriff informed me that I was no longer a convicted felon, and I believed the Law Enforcement Officer.

15. I was mislead by the Sheriff of the Callaway County, Missouri Sheriff's Department. I did not obtain a copy of the Criminal Background checks until the years of 2005 and 2003 from the Freedom of Information Acts.

16. The records reflects that The pawnshop Owner and sheriff conducted the Criminal Background checks with my Social security Number and it reveiled that I have a prior criminal record. (Exhibit #C pgs.1-13).

17. I relied on the affirmation of the Callaway County Sheriff, the Chief Law Enforcement Officer of the County in which I lived, responsible for enforcing the law. If I could not believe the Police/Sheriff who could I believe.

18. If the Sheriff told me that I could not possess a firearm. I would not have possessed that firearm.

19. Even in considering my case from hindsight, the State Court Judge, Prosecutor, of Lawyer never informed my that by pleading guilty to the State charged in 1995, that those convictions would prohibit me from possessing a firearm. (~~MS~~) I had no knowledge that a conviction for non-violent crimes prohibited the possession of a firearm.

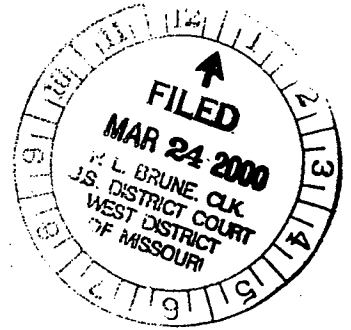
I declare under the penalty of perjury pursuant to 28 U.S.C. 1746, that the above statements are true and correct.

Executed on this 26 day of July, at Forrest City, Arkansas.



Signature of Affiant
Marcus DeAngelo Jones

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IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION

UNITED STATES OF AMERICA,)
) No. 00-040 10 -01-CR-C-2
Plaintiff,)
) Counts 1 and 3:
v.) 18 U.S.C. § 922(g)(1): NLT 15 years
) NMT life and/or \$250,000
MARCUS DEANGELO JONES) Supervised Release: NMT 5 years
a/k/a "MARCUS DEANGELO LEE,")
[DOB: 07/01/76]) Count 2:
) 18 U.S.C. § 922(a)(6): NMT 5 years
) and/or \$250,000
Defendant.) Supervised Release: NMT 3 years
)
) \$100 mandatory penalty
) assessment, each Count

ORIGINAL

I N D I C T M E N T

THE GRAND JURY CHARGES THAT:

COUNT 1

(Felon in Possession of a Firearm)

1. On or about October 9, 1999, at or near Columbia, in Boone County, in the Western District of Missouri, MARCUS DEANGELO JONES a/k/a Marcus Deangelo Lee, defendant, having been previously convicted of a crime punishable for a term exceeding one year, did possess in and affecting commerce a firearm, namely: a Makarov 9mm semi-automatic handgun, serial number AK05154, importer assigned serial number RS01263.

2. Prior to the possession, defendant had been previously convicted of the following crimes (felonies) punishable for a term exceeding one year, in the courts named, and on or about the dates

stated:

a. On or about August 16, 1995, in the Criminal Court for Shelby County, Tennessee, defendant was convicted of Burglary of a Motor Vehicle;

b. On or about December 11, 1995, in the Criminal Court for Shelby County, Tennessee, defendant was convicted of Unlawful Possession of Cocaine with Intent to Sell;

c. On or about December 11, 1995, in the Criminal Court for Shelby County, Tennessee, defendant was convicted of Sale of Cocaine/Possession with Intent to Sell/Deliver;

d. On or about December 11, 1995, in the Criminal Court for Shelby County, Tennessee, defendant was convicted of Unlawful Possession of a Deadly Weapon with Intent to Commit a Crime;

e. On or about May 30, 1997, in the Criminal Court for Shelby County, Tennessee, defendant was convicted of Escape from Felony Incarceration;

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(c).

COUNT 2

(False Statements to Acquire a Firearm)

1. On or about August 18, 1999, in Callaway County, in the Western District of Missouri, MARCUS DEANGELO JONES a/k/a Marcus Deangelo Lee, defendant, in connection with his acquisition of a firearm, that is, a Makarov 9mm semi-automatic handgun, serial number AK05154, importer assigned serial number RS01263, from Callaway Pawn and Gun, a licensed dealer, knowingly made a false

and fictitious written statement and furnished and exhibited a false, fictitious identification to Callaway Pawn and Gun, which statement and identification was likely to deceive as to a fact material to the lawfulness of such sale and acquisition of the said firearm to defendant under Chapter 44 of Title 18, in that defendant represented at least one of the following: (i) on a Bureau of Alcohol, Tobacco and Firearms Form 4473 (Form 4473), defendant stated that he was not a felon, or more particularly, certified that he had not been convicted in any court of a crime for which the judge could have imprisoned him for more than one year, when in fact he had been convicted of more than one felony; and (ii) defendant stated on Form 4473 that he was Marcus D. Jones, when in fact his name was actually Marcus D. Lee; all in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(1)(B).

COUNT 3

(Felon in Possession of a Firearm)

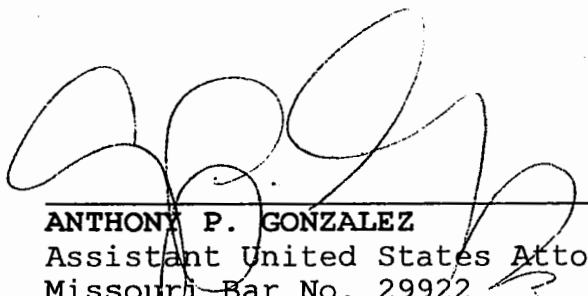
1. On or about August 18, 1999, at or near Columbia, in Boone County, in the Western District of Missouri, MARCUS DEANGELO JONES a/k/a Marcus Deangelo Lee, defendant, having been previously convicted of a crime punishable for a term exceeding one year, did possess in and affecting commerce a firearm, namely: a Makarov 9mm semi-automatic handgun, serial number AK05154, importer assigned serial number RS01263.

2. The allegations of paragraph 2 of Count 1 are incorporated by reference as if fully set forth again.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(c).

A TRUE BILL.

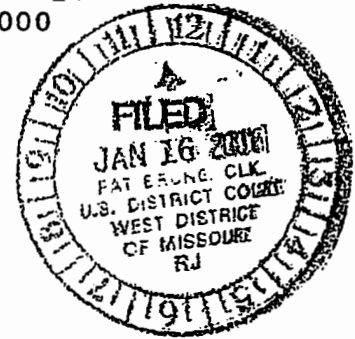

FOREPERSON OF THE GRAND JURY


ANTHONY P. GONZALEZ
Assistant United States Attorney
Missouri Bar No. 29922

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION

UNITED STATES OF AMERICA,) Case No. 00-4010-CR-C-SOW
Plaintiff,) Jefferson City, Missouri
v.) July 24, 2000
MARCUS DEANGELO JONES,)
Defendant.)



VOLUME I
TRANSCRIPT OF TRIAL
BEFORE THE HONORABLE SCOTT O. WRIGHT
UNITED STATES DISTRICT JUDGE and A JURY

APPEARANCES:

For the Plaintiff: Anthony Gonzalez, Esq.
AUSA
P.O. Box 117
Jefferson City, MO 65101
(573) 634-6144

For the Defendant: Cyril M. Hendricks, Esq.
305 E. McCarty St., Ste. 101
Jefferson City, MO 65101
(573) 634-7515

Court Audio Operator: Ms. Laura Bax

Transcribed by: Rapid Transcript
Lissa C. Whittaker
1001 West 65th Street
Kansas City, MO 64113
(816) 822-3653

Proceedings recorded by electronic sound recording,
transcript produced by transcription service.

Buckner - Direct

I-107

1 remain downstairs though.

2 THE COURT: All right. All right. You may step
3 down.

4 MELVIN BUCKNER, PLAINTIFF'S WITNESS, SWORN

5 DIRECT EXAMINATION

6 BY MR. GONZALEZ:

7 Q. Tell the jury your name, please.

8 A. Melvin Buckner.

9 Q. Okay. How are you employed, Mr. Buckner?

10 A. I'm a police officer with Columbia, Missouri.

11 Q. Okay. I'm sorry, could you spell your last name for me?

12 A. B-U-C-K-N-E-R.

13 Q. And how long have you been a police officer?

14 A. About seven years.

15 Q. And on August the 18th of 1999, did you have an occasion
16 to meet with Mr. Marcus Jones?

17 A. Yes, I did.

18 Q. Okay. And is he seated here next to counsel, Mr.
19 Hendricks?

20 A. Yes, he is.

21 MR. GONZALEZ: If the record could reflect he's
22 identified the defendant.

23 THE COURT: Yes, it will so reflect.

24 BY MR. GONZALEZ:

25 Q. Can you indicate -- can you tell the jury where you were

B-2

Buckner - Direct

I-108

1 and how you came about running into him on that particular
2 day?

3 A. I was in the area of LaSalle at Pendleton. I was
4 traveling southbound when I observed Mr. Jones run the stop
5 sign there at the intersection going east.

6 Q. And what, if anything, did you do?

7 A. I stopped him after he ran through the sign and issued
8 him a summons for that.

9 Q. Was he alone in the car?

10 A. No, he wasn't.

11 Q. Do you recall how many other persons were in the car with
12 him?

13 A. There was another subject in the car that identified
14 himself as William Lee.

15 Q. A younger individual?

16 A. Yes.

17 Q. And was there anything unusual about this stop that you
18 noticed?

19 A. Yes. When I approached the car, the driver told me there
20 was a firearm in the car and as I looked in there was between
21 the console and the driver's seat.

22 Q. Was there a firearm there?

23 A. Yes, there was.

24 Q. Okay. When you say the driver, are you speaking about
25 Mr. Jones?

Buckner - Direct

I-109

1 A. Yes, I am.

2 Q. All right. And he indicated that there was a -- excuse
3 me for a second. Did you seize the firearm?

4 A. I removed it from the driver's possession while I was
5 conducting my traffic stop.

6 Q. Okay. Can you tell -- describe to the jury how you did
7 that?

8 A. I took the firearm out of the car, placed it on top of
9 the defendant's car where I had control of it while I dealt
10 with him on the traffic stop.

11 Q. Okay. And do you recall what kind of weapon it was, not
12 necessarily specifically but was it a revolver or an
13 automatic?

14 A. It was an automatic.

15 Q. Okay. I guess I mean semi-automatic.

16 A. Right.

17 Q. Was it loaded?

18 A. I do not recall.

19 Q. Let me show you what's been marked Government's Exhibit
20 #2-B and #2-A. Does this look like the firearm?

21 A. Yes, it does.

22 Q. What, if anything, did you do? Did you call for backup?

23 A. Yes, I did.

24 Q. And who came?

25 A. Officer Robert Bennett.

Buckner - Direct

I-110

1 Q. And for what reason was Officer Bennett called?

2 A. Just for my own personal safety. I was dealing with an
3 individual with a firearm. I just wanted another officer
4 there.

5 Q. Did Mr. Jones display to you a driver's license or
6 anything, do you recall?

7 A. Yes, he did.

8 Q. And did you use that information to put the information
9 on the ticket or did you get the information on the ticket
10 from elsewhere, do you know?

11 A. I got the information from his driver's license.

12 Q. I show you what's been marked Government's Exhibit, if
13 you'll look here, #3-A and #3-B. Can you just indicate what
14 #3-A and #3-B are?

15 A. #3-A is a Missouri operator's license in the name of
16 Marcus Jones and #3-B is a Missouri identification card in
17 the name of Marcus Jones.

18 Q. And are those -- the same individual depicted in both?

19 A. Yes.

20 Q. Okay. And is he the defendant?

21 A. Yes.

22 Q. Now, I'm going to show you what's been marked, at least
23 for --

24 MR. HENDRICKS: May I see the exhibit, please?

25 BY MR. GONZALEZ:

Buckner - Direct

I-111

1 Q. Officer, let me show you what's been marked Exhibit #3-C
2 previously shown by counsel to Candy Cornman. Do you
3 recognize what #3-C is?

4 A. Yes. This is a copy of the traffic ticket that I wrote.

5 Q. Okay. And does it indicate an address there?

6 A. Yes, it does.

7 Q. And where is that address?

8 A. The address is in Fulton, Missouri, Sycamore Road maybe.

9 Q. And does it also indicate a Social Security number?

10 A. Yes, it does.

11 Q. I show you again #3-A and #3-B. What do those indicate
12 the address is?

13 A. These indicate the address being at 115 West Ash in
14 Columbia.

15 Q. Okay. And does it indicate a Social Security number?

16 A. It looks like a number generated by the Department of
17 Revenue. It does not appear to be a Social Security number.

18 Q. On both?

19 A. Yes.

20 MR. GONZALEZ: Judge, at this point I'd move into
21 evidence Government's Exhibit #3-A, #3-B and #3-C.

22 MR. HENDRICKS: No objection.

23 THE COURT: Be admitted.

24 BY MR. GONZALEZ:

25 Q. Was Mr. Jones ever arrested for the firearm at all?

Buckner - Cross

I-112

1 A. No.

2 Q. Okay. It wasn't concealed. There was no violation as
3 far as you knew, correct?

4 A. No.

5 Q. And you only knew him under the name Jones at that point?

6 A. Correct.

7 MR. GONZALEZ: All right. I have nothing further.

8 CROSS-EXAMINATION

9 BY MR. HENDRICKS:

10 Q. Officer, when you make the stop, is it customary to check
11 the license plate prior to approaching the vehicle?

12 A. Yes.

13 Q. And you run that through your, I guess, a computer check
14 to see the name of the person and anything that may be such
15 as a warrant outstanding or anything like that?

16 A. Correct.

17 Q. And I assume in this case you did the same?

18 A. I don't recall. I would doubt it seeing I stopped Mr.
19 Jones within a block of the violation, so I doubt that I
20 actually ran the plate.

21 Q. Okay. But that's the normal procedure?

22 A. Correct.

23 Q. Okay. And I assume that the normal procedure is also get
24 a certain amount of identification?

25 A. Correct.

FORM 12-13 PERIOD - 1-400-431-8888

B-7

O'Neal - Direct

I-133

1 Q. Okay. So, it would be fair that one is a serial number
2 and one is an importer's number?

3 A. Exactly.

4 Q. All right. And do you also see that the permit for
5 acquisition was signed by Marcus Jones also on the 18th and
6 that he paid a \$10 fee on that day?

7 A. I see that, sir, yes, sir.

8 Q. Okay. And can you read to the jury what it says on this
9 permit under number 2?

10 A. Number 2 it says, "Has not pled guilty to or been
11 convicted of a crime punishable by imprisonment of a term
12 exceeding one year under the laws of any state or of the
13 United States other than a crime classified as a misdemeanor
14 under the laws of any state and punishable by a term of
15 imprisonment of two years or less that does not involve an
16 explosive weapon, firearm, firearm silencer or gas gun."

17 Q. And the second document is that the application?

18 A. This I never saw.

19 Q. Okay.

20 A. That's something he does at the sheriff's office.

21 Q. What allows you to release the firearm though finally is
22 the document which you sign at the bottom in blue ink and
23 actually did --

24 A. Yes.

25 Q. -- the wrong date on it, correct?

O'Neal - Cross

I-134

1 A. That's it is, sir. That's the only way I can release the
2 handgun. That is my handwriting.

3 Q. After you sign it, this document entitled "Permit for
4 Acquisition of a Firearm," what becomes of it?

5 A. I fill out the bottom part and send it back to the
6 sheriff's office.

7 Q. Do you retain any for your records and --

8 A. I do not, sir. I only get one copy. I don't have a
9 copying machine so I send the original document back.

10 MR. GONZALEZ: At this point I don't believe I have
11 any further questions of the witness.

12 CROSS-EXAMINATION

13 BY MR. HENDRICKS:

14 Q. Good afternoon, Mr. O'Neal.

15 A. Hi.

16 Q. Let me see if I understand correctly. Did he actually
17 get the permit from the sheriff's office prior to coming in
18 and getting the gun?

19 A. Yes, sir.

20 Q. Okay. So, that was the first document that was obtained?

21 A. Yes, sir.

22 Q. And then he came -- of course he had been in earlier and
23 looked at the gun?

24 A. Yes, sir.

25 Q. And I assume he had paid some money down on it or you

O'Neal - Cross

I-135

1 said put it in lay-away?

2 A. He put it on -- paid some money on it to hold it on his
3 second visit.

4 Q. Okay. So, when he came in and actually obtained it, he
5 came in with a permit from the sheriff's office?

6 A. Yes, sir.

7 Q. And at that time he filled out, I guess, what you've
8 referred to as the form 4473?

9 A. He'd done the 4473 on the 16th, sir.

10 Q. Okay.

11 A. We filled that out prior to that to do his background
12 check.

13 Q. Okay. You were present when he filled it out?

14 A. I'm the only one there, sir. I'm a one-man operation.

15 Q. Okay. Did you watch him fill the document out?

16 A. Yes, sir.

17 Q. Okay. And in that document, and if you would I will --

18 MR. HENDRICKS: Is everything here?

19 MR. GONZALEZ: I think so.

20 (Off Record Talking)

21 BY MR. HENDRICKS:

22 Q. Referring to document #4 from the Government, I think
23 you've previously identified that as the form --

24 A. Yes, sir, I did.

25 Q. -- 4744, am I correct?

O'Neal - Cross

I-136

1 A. 4473.

2 Q. Okay. And that was the document that was completed on
3 October the 16th?

4 A. No, sir, it was August the 16th.

5 Q. August 16th. And you were present when that was filled
6 out?

7 A. Yes, sir.

8 Q. And let me refer you to the back of that document. Does
9 that indicate on that that I guess we would talk about in
10 item 11A.

11 A. Are you talking about this, sir?

12 Q. No, sir. I guess I was referring to the part that was
13 filled out.

14 A. The inside page.

15 Q. If you'll look at 11A.

16 A. Yes, sir.

17 Q. Does that indicate that you required identification prior
18 to --

19 A. Yes, sir.

20 Q. -- completing that form? And I see where driver's
21 license was circled?

22 A. And then I wrote in ID.

23 Q. Okay. And also in that there's a Social Security number?

24 A. Yes, sir. It was the same as his driver's license, or
25 his ID number actually.

B-14

O'Neal - Cross

I-137

1 Q. And what was that Social Security number?

2 A. 415-25-8584.

3 Q. Okay. And let me also refer you to the -- in regard to
4 9C, the box that's filled out.

5 A. Yes, sir.

6 Q. That indicates -- you say that that was a yes?

7 A. No, sir. The answer to 9C was a no.

8 Q. Okay. Did that concern you? It appeared to me that at
9 least there was at one time attempted to make a no on that?
10 You notice the top one where it says yes?

11 A. Uh-huh.

12 Q. That appears to be -- again, I'm not expert in
13 handwriting, but that was a very distinct yes and as far as
14 the 9C, does that appear that there was something that was
15 scratched out or circled?

16 A. I didn't think so.

17 Q. Okay.

18 A. It looks like he just reinforced what he was writing.

19 Q. Okay. But that was done in your presence?

20 A. Yes, sir, it was.

21 Q. And as far as the -- let me have that, if I may, sir? As
22 far as the gun itself, was that a new weapon or was it a --

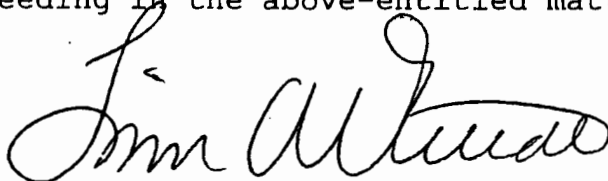
23 A. No, it was a used gun, sir.

24 Q. -- one that you had taken in?

25 A. It was used.

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I certify that the foregoing is a correct transcript from the electronic sound recording of the proceeding in the above-entitled matter.



Signature of transcriber



Date

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SECTION B - TO BE COMPLETED BY TRANSFEROR (SELLER)

10. TYPE OF FIREARM(S) TO BE TRANSFERRED:

☒ HANDGUN☐ LONG GUN☐ BOTH

a. TYPE OF AND NUMBER ON IDENTIFICATION (Driver's license or other valid government-issued photo identification. See Instruction to Transferor 1.)

MO. 415-25-8584

11b. TYPES AND DATES OF ADDITIONAL IDENTIFICATION REQUIRED FOR ALIENS (e.g., utility bills or lease agreements. See Instruction to Transferor 2.)

③ ID

ITEM 12, 13, OR 14 MUST BE COMPLETED PRIOR TO TRANSFER OF FIREARM(S) (See Instructions to Transferor 4-7.)

12a. THE TRANSFEREE'S IDENTIFYING INFORMATION IN SECTION A OF THIS FORM WAS TRANSMITTED TO NICS OR THE APPROPRIATE STATE AGENCY ON 8-16-99

(Date)

12b. THE NICS OR STATE TRANSACTION NUMBER (if provided) WAS: OIEW-43V

12c. THE RESPONSE INITIALLY PROVIDED BY NICS OR THE APPROPRIATE STATE AGENCY WAS AS FOLLOWS:

☒ PROCEED☐ DENIED☒ DELAYED

12d. IF INITIAL NICS OR STATE RESPONSE WAS "DELAYED," THE FOLLOWING RESPONSE WAS RECEIVED FROM NICS OR THE APPROPRIATE STATE AGENCY ON 8-16-99

(Date)

☒ PROCEED☐ DENIED☐ NO RESPONSE PROVIDED WITHIN 3 BUSINESS DAYS

13. STATE PERMIT TYPE (no NICS check required because transferee has a valid permit which qualifies as an exemption to NICS)

DATE OF ISSUANCE

EXPIRATION DATE (if any)

PERMIT NUMBER

☐ NO NICS CHECK WAS REQUIRED BECAUSE THE TRANSFER INVOLVED ONLY NFA FIREARM(S)

SECTION C - IF THE TRANSFER OF THE FIREARM(S) TAKES PLACE ON A DIFFERENT DAY FROM THE DATE THAT THE TRANSFEREE SIGNED SECTION A, THEN THE TRANSFEREE MUST COMPLETE SECTION C IMMEDIATELY PRIOR TO THE TRANSFER OF THE FIREARM(S) (SEE INSTRUCTION TO TRANSFEREE 3 AND INSTRUCTION TO TRANSFEROR 9)

I CERTIFY THAT THE ANSWERS I PROVIDED TO THE QUESTIONS IN ITEM 9 OF SECTION A OF THIS FORM ARE STILL TRUE AND CORRECT.

TRANSFEREE'S (BUYER'S) SIGNATURE

DATE

X New [Signature]

8-18-99

SECTION D

On the basis of (1) the statements in Section A; (2) the verification of identity noted in item 11 and my verification again at the time of transfer (if the transfer does not occur on the same day as the verification noted in item 11); and (3) the information in the current list of Published Ordinances, it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) described below to the person identified in Section A.

15. MANUFACTURER AND/OR IMPORTER	16. MODEL	17. SERIAL NO.	18. TYPE (Pistol, Revolver, Rifle, Shotgun, etc.)	19. CALIBER OR GAUGE
KBI	MAKAROV	RS01263	PISTOL	9x18

COMPLETE ATF F 3310.4 FOR MULTIPLE PURCHASES OF HANDGUNS (See Instruction to Transferor 11.)

20. TRADE/CORPORATE NAME AND ADDRESS OF TRANSFEROR (Seller) (Hand stamp may be used.)

CALLAWAY SHAWN & GUN
1217 Hwy 54 S.
FULTON, MO. 65251

21. FEDERAL FIREARMS LICENSE NO. (Hand stamp may be used.)

5-43-015-02-15-40070

THE PERSON ACTUALLY TRANSFERRING THE FIREARM(S) MUST COMPLETE ITEMS 22 THROUGH 24.

22. TRANSFEROR'S (Seller's) SIGNATURE

23. TRANSFEROR'S TITLE

24. TRANSACTION DATE

Larry O'Neal

Owner

8-18-99



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

JUN 16 2005

Washington, DC 20226

www.atf.gov

REFER TO: 05-1219 AG
100060

Mr. Marcus D. Jones
Reg. #12520-045
FCI - Post Office Box 5000
Greenville, Illinois 62246-5000

Dear Mr. Jones:

This is in response to your Freedom of Information Act (FOIA) request dated June 8, 2005, received on June 15, 2005, wherein you request access to information you believe is maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), pertaining to you.

A search of our criminal records has failed to produce the requested information. This is not a denial; rather it is to advise you that; based on the information you provided responsive records were not identified. If you can tell us how and when you had contact with ATF, or why you feel certain ATF would maintain records about you, also provide your social security number, we will then have more information on which to base a further search.

Furthermore, you specifically request 302 reports that are generated by the Federal Bureau of Investigations; ATF does not maintain other federal agency records.

Insofar as records have not been identified at this time, you have the right to request an administrative appeal based on the efficiency of the search. You may write to the Office of Information and Privacy, United States Department of Justice, Flag Building, Suite 570, Washington, D.C. 20530-0001. Your letter must be received within 60 days from the date of this letter, indicate that your appeal concerns ATF records and use the "REFER TO" number at the upper right of this letter. Your appeal should state any arguments in support thereof. However, if you can give us more information first we will search again.

Sincerely yours,

Averill P. Graham
Chief, Disclosure Division

C-2

DOCUMENT COVER SHEET: EXEMPTIONS LIST AND APPEAL RIGHTS

Part I - Document cover sheet

1. Requesters' name MARCUS JONES	2. File no. 04-1857	3. Requested documents were referred by the following agency: EOUSA
4. Documents are being released: [] at cost <input checked="" type="checkbox"/> without cost	5. Package ends with documents no.: 78	6. Total no. of documents denied: 1

7. Exemptions cited for information withheld on pages released: (See Part II of explanations of exemptions)

[] (b) (1) ☒ (b) (2) [] (b) (3) [] (b) (4) [] (b) (5) [] (b) (6)
 [] (b) (7) (A) [] (b) (7) (B) ☒ (b) (7) (C) [] (b) (7) (D) [] (b) (7) (E) [] (b) (7) (F)

8. Documents completely withheld:

Document no. — Exemption	Document no. — Exemption	Document no. — Exemption
78 b3 - Pub. L. 108-199		

9. The records identified above have been determined to be most directly responsive to your request. Other records, described below are available upon payment of ten (10) cents per page (or at no cost if a fee waiver is granted). These records generally consist of duplicated or repetitive information that restates information contained in the package being released. A sample of index of these records is included in this released. The following records are available upon written request:

No. of pages

- | | |
|--|-------|
| (a) Exhibits to Report (See index on page _____) | _____ |
| (b) Surveillance Reports (See sample page _____) | _____ |
| (c) Interagency Telegrams and Messages (See sample page _____) | _____ |
| (d) Property Disposition records (See sample page _____) | _____ |
| (e) Newspaper or magazine article (See sample page _____) | _____ |
| (f) Miscellaneous (See sample page _____) | _____ |

Note: To obtain copies of these records, identify the records you want, count the pages and multiply by ten (10) cents. Send a check or money order payable to Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and mail to Chief, Disclosure Branch, ATF; 650 Mass. Ave., Rm 8400, Washington, DC. Request promptly for best service, as files are returned to field offices fifteen (15) days after this notice is mailed to you.

(Parts II and III on reverse side)

C-3

COPY FROM COL3 ON 07/30/99 AT 18.51.41 HRS.

D46 EVENUE DATE: 07/30/99 TIME: 18.51.29 DEST TERM: WPD0COL6
QWR.LNM/JONES.FHM/MARCUS.HNI/D.DOB/07017

*R23 - DOR MEDIUM RESPONSE

*** THIS RECORD RESTRICTED UNDER DRIVERS PRIVACY PROTECTION ACT ***

DETAIL INFORMATION:

OPER STAT/VALID

CDL STAT/

LIC EXP DATE/01 28 2002 CLASS/F

CURRENT NAME

DOB SEX

JONES

MARCUS

DEANGELO

07 01 1976 M

ALIAS NAME

JONES

MARCUS

DEANGELO

07 01 1976 M

OLN/J21-12-46025 ALIAS OLN/415-25-8584

OLD DLN/

HGT/509

WGT/170

EYE/BROWN

RESIDENT ADDR/313 TRINITY PLACE

COLUMBIA

MO 65203

ID CARD EXP/01 19 2002

PEND STAT/APPEAL

SCHOOL BUS STAT/

ISSUANCE INFORMATION:

ENDORSEMENTS/

RESTRICTIONS/

LIC PROC CDE/REGULAR

LIC PROC REASON/

COPY FROM COL3 ON 07/30/99 AT 18.51.41 HRS.

ACTION INFORMATION: 001 RECORD ON FILE

1 TYPE/MANDATORY (ST (DRIVER/REGIST))

CASE NO/AC99006337 EFF DT/11151999

STATUS/STAYED HEARING PENDING

ELIGIBLE REI/01 14 2000 OFFENSE ST/

2 TYPE/SECURITY (DRIVER/REGIST)

CASE NO/AC99006337 EFF DT/11151999

STATUS/STAYED HEARING PENDING

ELIGIBLE REI/11 15 2000 OFFENSE ST/

3 TYPE/FAILURE TO FILE

CASE NO/AC99006337 EFF DT/09291999

STATUS/REINSTATED

ELIGIBLE REI/ OFFENSE ST/

CONVICTION INFORMATION: 003 RECORD ON FILE NO OF DWI/000 LAST DWI/00000000

1 CON 06 14 1999 SPEEDING

03 PTS DW/07 27 1999

CIR CRT-ASSOC DIV-PERRYVILLE

CDL/N HAZ/N

67

25

C-4

COPY FROM COL3 ON 07/30/99 AT 18.51.41 HRS.
 FROM-NCIC DATE 07-30-99 TIME 18.51.29
 QH: [REDACTED] PUR/C. NAM/JONES, MARCUS D SEX/M
 0

THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
 INQUIRY ON NAM/JONES, MARCUS D SEX/M RAC/B DOB/19760701 SOC/415258584
 PUR/C

NAME	FBI NO.	INQUIRY DATE
LEE, MARCUS DEANGELO	.55144VA2	1999/07/30

SEX RACE BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	BIRTH PLACE	PHOTO
M B 1976/07/01	508	135	BRO	BLK	TENNESSEE	N

FINGERPRINT CLASS	PATTERN CLASS
PD TT 05 PH DD	WU LS RS WU WU LS LS LS LS WU
15 10 09 DI 14	RS WU LS
	AU

ALIAS NAMES
 LEE, MARCUS LEE, WILLIAM EARL

SCARS-MARKS-
 TATTOOS SOCIAL SECURITY

COPY FROM COL3 ON 07/30/99 AT 18.51.44 HRS.
 TAT UL ARM 410-25-2581
 412-39-6340
 415-25-0504
 415-25-8584

IDENTIFICATION DATA UPDATED. 1997/10/16

(68) b2

Page 29

C5

THIS RECORD IS BASED ONLY ON THE SID NUMBER IN YOUR REQUEST (640475).
BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD
BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

- TENNESSEE CRIMINAL HISTORY -

USE OF THE FOLLOWING RECORD IS REGULATED BY LAW. IT IS FURNISHED FOR
OFFICIAL USE ONLY AND SHOULD ONLY BE USED FOR THE PURPOSE REQUESTED.
WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE DIRECTLY
WITH THE AGENCY THAT CONTRIBUTED THE FINGERPRINTS.

REPORT DATE: 1999/07/30

NAME	SID	FBI	SOC
LEE, MARCUS DEANGELO	640475	55144VA2	415258584
RACE SEX BIRTHDATE HGT WGT EYES HAIR POB FIF MNU			
B M 1978/07/01 68 155 BRO BLK TN F			

OTHER IDENTIFYING DATA

NAMES USED	BIRTHDATES	SOC NUMBERS	MISC NUMBERS
LEE, MARAS		410252581	
LEE, WILLIAM EARL		412396340	
SCARS, MARKS, TATTOOS:			

TAT UL ARM
TOOTH GOLD 3 - M, A, R

OFFENSE DATA

ARREST -- DATE ARRESTED: 1993/10/13
AGENCY: SHELBY COUNTY SO [REDACTED]
CASE NO: 147794A
NAME USED: LEE, MARCUS DEANGELO
CHARGE: HOMICIDE-FIRST DEGREE-CRIMINAL ATTEMPT - 1 COUNT (FELONY)

ARREST -- DATE ARRESTED: 1993/10/27
AGENCY: SHELBY COUNTY SO [REDACTED]
CASE NO: 00204690
NAME USED: LEE, MARCUS DEANGELO
CHARGE: HOMICIDE-FIRST DEGREE-ATTEMPT - 1 COUNT (FELONY)
OFF DATE: 1993/10/27

ARREST -- DATE ARRESTED: 1994/10/09
AGENCY: SHELBY COUNTY SO [REDACTED]
CASE NO: 00204690
NAME USED: LEE, MARCUS DEANGELO
CHARGE: MARIJUANA POSSESS - 1 COUNT (FELONY)

(69) b2

page 10

C-6

OFF DATE: 1994/10/09
 ARREST -- DATE ARRESTED: 1994/10/11
 AGENCY: SHELBY COUNTY SO [REDACTED]
 CASE NO: 00204690
 NAME USED: LEE, MARCUS DEANGELO
 CHARGE: ROBBERY-AGGRAVATED - 1 COUNT (FELONY)
 OFF DATE: 1994/10/11
 ARREST -- DATE ARRESTED: 1995/07/03
 AGENCY: SHELBY COUNTY SO [REDACTED]
 CASE NO: 00204690
 NAME USED: LEE, MARCUS DEANGELO
 CHARGE: COCAINE-POSSESS-CRACK W/INTENT TO MFG/SELL/DELIVER - 1 COUNT (FELONY)
 Y)
 ARREST -- DATE ARRESTED: 1995/08/09
 AGENCY: SHELBY COUNTY SO [REDACTED]
 CASE NO: 00204690
 NAME USED: LEE, MARCUS DEANGELO
 CHARGE: VEHICLE THEFT-OVER \$500 - 1 COUNT (FELONY)
 OFF DATE: 1995/08/09
 ARREST -- DATE ARRESTED: 1995/08/11
 AGENCY: SHELBY COUNTY SO [REDACTED]
 CASE NO: 00204690
 NAME USED: LEE, MARCUS DEANGELO
 CHARGE: COCAINE-MANUFACTURE/DELIVER/BELL - 1 COUNT (FELONY)
 OFF DATE: 1995/08/11
 CUSTODY -- DATE ARRESTED/RECEIVED: 1995/12/15
 AGENCY: SHELBY CO CORRECTIONAL CENTER [REDACTED]
 CASE NO: 204690
 CHARGE: DANGEROUS DRUGS-POSSESS W/I TO SELL/DEL - 1 COUNT (FELONY CONVICTED)
)
 STATUS: RECEIVED-3 YEARS
 ARREST -- DATE ARRESTED: 1996/11/11
 AGENCY: SHELBY COUNTY SO [REDACTED]
 CASE NO: 00204690
 NAME USED: LEE, MARCUS
 CHARGE: ASSAULT-AGGRAVATED - 1 COUNT (FELONY)
 OFF DATE: 1996/11/11
 ARREST -- DATE ARRESTED: 1996/11/11
 AGENCY: SHELBY COUNTY SO [REDACTED]
 CASE NO: 00204690
 NAME USED: LEE, MARCUS
 CHARGE: VEHICLE THEFT - 1 COUNT (FELONY)
 OFF DATE: 1996/11/11
 ARREST -- DATE ARRESTED: 1997/02/18
 AGENCY: SHELBY COUNTY SO [REDACTED]
 CASE NO: 00204690
 NAME USED: LEE, WILLIAM EARL
 CHARGE: COCAINE-POSSESS-CRACK-W/INT TO MFG/DEL/SELL - 1 COUNT (UNKNOWN)
 OFF DATE: 1997/02/18
 ARREST -- DATE ARRESTED: 1997/07/30
 AGENCY: SHELBY COUNTY SO [REDACTED]
 CASE NO: 00204690
 NAME USED: LEE, MARCUS DEANGELO
 CHARGE: AGGRAVATED ASSAULT - 1 COUNT (FELONY)
 OFF DATE: 1997/07/30

70 b2

20.

C-7

3-ARRESTED OR RECEIVED 1994/10/11
AGENCY-SHERIFF'S OFFICE MEMPHIS
AGENCY CASE-00204690
CHARGE 1-AGGRAVATED ROBBERY

4-ARRESTED OR RECEIVED 1995/07/03
AGENCY-SHERIFF'S OFFICE MEMPHIS
AGENCY CASE-00204690
CHARGE 1-POSS CS W/I TO MFG/SEL/DEL TO WIT CRAC COC

5-ARRESTED OR RECEIVED 1995/08/09
AGENCY-SHERIFF'S OFFICE MEMPHIS
AGENCY CASE-00204690
CHARGE 1-THEFT OF PROP 0/\$500 TO WIT AUTO THEFT

6-ARRESTED OR RECEIVED 1995/08/11
AGENCY-SHERIFF'S OFFICE MEMPHIS
AGENCY CASE-00204690
CHARGE 1-MANUF DELL SELL CONTRLD SUB TO WIT COCAINE

7-ARRESTED OR RECEIVED 1996/11/11
AGENCY-SHERIFF'S OFFICE MEMPHIS
AGENCY CASE-00204690
CHARGE 1-THEFT OF PROPERTY OVER \$500-AUTO THEFT
CHARGE 2-AGGRAVATED ASSAULT

8-ARRESTED OR RECEIVED 1997/02/18
AGENCY-SHERIFF'S OFFICE MEMPHIS
AGENCY CASE-00204690 NAME USED-LEE, WILLIAM EARL
CHARGE 1-POS OF C/S W/INT TO MANF/DEL/SEL WIT CRK COC

9-ARRESTED OR RECEIVED 1997/07/30
AGENCY-SHERIFF'S OFFICE MEMPHIS
AGENCY CASE-00204690
CHARGE 1-AGG ASLT

ALL ARREST ENTRIES CONTAINED IN THIS FBI RECORD ARE BASED ON
FINGERPRINT COMPARISONS AND PERTAIN TO THE SAME INDIVIDUAL.

THE USE OF THIS RECORD IS REGULATED BY LAW. IT IS PROVIDED FOR
OFFICIAL USE ONLY AND MAY BE USED ONLY FOR THE PURPOSE REQUESTED.

END OF RECORD

COPY FROM COL1 ON 07/30/99 AT 18:54:18 HRS.
SUZ MULES DATE 07-30-99 TIME 18:54:15 DEST TERM: COL1
LW SHP/990710-105445 REF/071099-04 ORI/M
*L02 CASE SUCCESSFULLY LOCATED - MULES ONLY:
SHP/990710-105445 REF/071099-04 ORI

FROM NCIC DATE 07-30-99 TIME 18:52:13
OR. FBI/55144VA2.PUR/C.ATN

THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
RECORD REQUEST FOR FBI/55144VA2. THE FOLLOWING WILL RESPOND TO YOUR
AGENCY:

(71) b2, b7c c-8

COPY FROM CDL3 ON 07/30/99 AT 18.47.05 HRS.
FROM-NLETS DATE 07-30-99 TIME 18.46.50

FROM TN
NAME: LEE
ADDRESS: 3741 LEGEND

MARCUS

D

MEMPHIS TN 38118-0000

DR LIC NO: 82850287 BIRTH DATE: 19760701 LIC CLASS: ID** ENDRSE: ****
STICKER NO: PREVIOUS CLASS: D***
ISSUE DATE: 19950711 EXPIRATION DATE: 20010701 ORGAN DONOR: NO
EYES: BK HAIR: BK SEX: M RACE: B HEIGHT: 5FT 09IN WEIGHT: 160
NON-CDL STATUS: SUSPND'D DRVR LICENSE/VALID ID ONLY
NON-CDL ELIGIBILITY DATE: 19950505 GUN PERMIT STATUS: NONE
CDL STATUS: NONE
CDL ELIGIBILITY DATE: 19950505

SOC: 415-25-8584 TOTAL NON-CDL RECS: 001 TOTAL CDL RECS: 001
RESTRICTIONS: NONE

COPY FROM CDL3 ON 07/30/99 AT 18.47.14 HRS.
FROM-NLETS DATE 07-30-99 TIME 18.46.57

FROM TN

LIC NO	CASE	ACT	EVT DATE	ACT DATE	CNTY	SEC-AMT
82850287	L324869	052	19940915	19950505	79	00000000
FAIL TO SATISFY CITATION/SUSP/NOTICE SENT						
82850287	P324869	003	19940915		79	00000000
FAILURE TO OBEY TRAFFIC INSTRUCTIONS						

72 b2

C-9

REQUEST ACT OF 1974

TO: Callaway County Sheriffs Dept.
 P.O. Box 817
 Fulton, Mo. 65251

FROM: Marcus DeAngelo Jones
 #12520045
 P.O. Box 33
 Terre Haute, Ind 47808

Dear Mam or Sir,

Pursuant to Title 5 U.S.C 552 and all other relevant sections and parts thereof, I the undersigned, also identified above in the upper right-hand section, hereby respectfully request the following information:

Copies of all documentation in connection with the acquisition of a firearm by the requester Marcus DeAngelo Jones(lee) on 8-16-99 to 8-18-99. This request is not limited to; Copies of the application, Copy of his identification, Copy of response to back round check, Person or personel who conducted the background check, and The date it was approved by the sheriff. Plus any other information or documents concerning this acquisition.

If there are applicable rules and regulations that govern your in such matters, please forward them to me so that I might comply with them per the FOI Act of 1974.

If for any reasons any of the above requested information or material is deemed to be priviledged and exempt under FOIA, please specify the statutory reason for the exemption, the name and title of the person making the decision to with hold the material.

Per the dictates of the **FREEDOM OF INFORMATION ACT OF 1974** your agency has (40) working days to respond to this request. In the event I do not recieve a response by that time; I will deem this information request denied and seek a judicial remedy.

DATED: 6-12-01 SUMMITTED BY: MARCUS JONES

REQUESTER

Marcus Jones

Sworn and subscribed before me this 12th day of June, 01
 I the Federal Prison Case Manager of the named person, verify that the above person appeared before me and is who he claims to be.

J. Evans, C.M. (2)
 Case Manager/Notary Public

E-10

ANE	FBI NO.	INQUIRY DATE
RECEIVED, MAIL	924753M04	1997/08/14

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	BIRTH PLACE	PHOTO
M	E	12/11/1917	509	140	BRO	BLK	NEW JERSEY	N

[illegible]

ALIAS NONE
CLY. TYRONE
JACKSON, LARRY
JACKSON, LADY
JAL. BOB, MARK DENAR
JONES, ANTHONY
LONEL, MAR.
LWEN, MARK
CROK, EMMITT
WILLIE, CORY DENAR

JACKSON, LACE
JACKSON, LEEZE E
JACKSON, MARK D
JOHNSON, TONY
JONES, LACY
LACEY, JACKSON
SNOW, EMMET
WALE, TYRONE

OTHER	BOARS-MALES-	SOCIAL SECURITY
BIRTH DATES	TATTOOS	
1971/02/17	20 BACK	108-24-1600
1971/06/14	20 BACK	108-24-1602
1971/07/01	20 A SIDE	108-24-1603
1974/07/17		146-16-2272
1975/07/18		146-16-2402
1970/07/19		146-16-2416
1970.02.17		
1970/08/19		
1971.03/20		

IDENTIFICATION DATA FILED IN 1997/10/16

THE ORIGINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:

NEW JERSEY - STATE DEPARTMENT - FELONY CONVICTION
N.Y. ORG. - STATE DEPARTMENT - FELONY CONVICTION
STATE DEPARTMENT - FELONY CONVICTION
STATE DEPARTMENT - FELONY CONVICTION
STATE DEPARTMENT - FELONY CONVICTION
STATE DEPARTMENT - FELONY CONVICTION

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

NO RECORD IN CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION
BUREAU BY LINKING THE ABOVE CITED HOLD TRANSACTION.

Information for permit run by
Barbara Harkley, Office manager

2. C-14

FROM-REVENUE DATE: 08/16/1999 TIME: ** CAUTION CAUTION CAUTION
 DEPT: LNM/ JONES. FNM/ MARCUS. DOB/ 070176. SEX. JONES MARCUS

REC - BCR MEDIUM RESPONSE

*** THIS RECORD RESTRICTED UNDER DRIVERS PRIVACY PROTECTION ACT ***
 DETAIL INFORMATION.

DEPT STAT/VALID CBL STAT/

LIC EXP DATE/ 28 2012 CLASS/

CURRENT NAME

JONES

MARCUS

DEANGELO

DOB 07 11 1976

DLN/41E-2E-8504 ALIAS CLN/

DLN/

HGT. 509

WGT/170

EYE/BROWN

RESIDENT ADDR/113 TRINITY PLACE

COLUMBIA

SC 29202

LD CARD EXP/ 12 2012

INSURANCE INFORMATION.

UNINSURED.

RESTRICTIONS.

LIC PROC CDE/REGULAR

LIC PROC REASON/

CONVICTION INFORMATION. CBL RECORD ON FILE

NO OF/DNI/000

LAST DNI/000000

1 CON 06 14 1999 SPEEDING

03 PTE ON/07 27 1999

CIR CRT-45301 DIV-PERRYVILLE

CDLN/ N.I.N.

WTC

FROM-REVENUE DATE 08-16-99 TIME 15.37.38 DEPT TERM: CCA1

DEPT: LNM/ JONES. FNM/ MARCUS. DOB/ 070176. SEX.

*** THIS RESPONSE IS NOT TO BE CONSIDERED A POSITIVE HIT SINCE THE
 INQUIRY DOES NOT PERMIT A UNIQUE IDENTIFIER AND IS TO BE USED
 ONLY TO ASSIST IN MAKING A DIRECT DMV. LID OR AG INQUIRY. ***

LIC NO. LNK

F.M

LIC SEX E R DOB

32N/1M

00777109 JONES

MARCUS

* 2 062177 497822735

00821126 JONES

MARCUS

* 3 012773 979756111

00644984 JONES

MARCUS

* 2 121074 486723470

01544724 JONES

MARCUS

* 2 121074 486723470

01449984 JONES

MARCUS

* 2 121074 486723470

01544724 JONES

MARCUS

* 2 012773 979756111

01544724 JONES

MARCUS

* 2 012773 979756111

01544724 JONES

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01544724 JONES

MARCUS

* 2 012773 979756111

not
same

12
C12

FROM: NCIC DATE 05-16-77 TIME 16.01.17
 WH: NCIC140000G.PUR/F.NAN.JONES,MARCUS D.3E

NCIC140000

THIS NCIC INTERSTATE IDENTIFICATION INDEX MULTIPLE RESPONSE IS THE
 RESULT OF YOUR INQUIRY ON NAN JONES,MARCUS D, SEX/M FAC/D DOB/19760711
 360/41223884 PUR/F

NAME LEE,MARCUS DEANGELO FBI NO. 35144VA2 INQUIRY DATE 09/77/08/10

SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR BIRTH PLACE PHOTO
 M W 1976/07/11 509 175 BRN BLN TENNESSEE

FINGERPRINT CLASS PATTERN CLASS
 TT 03 20 35 AL LI RS WR NU LS LE LI LS XL
 11 10 09 51 14 RE NU LE
 AL

ALIAS NAME
 LEE,MARCUS

LEE,WILLIAM EARL

SCARS-MARKS-
 TATTOOS
 TAT UL ARM

SOCIAL SECURITY
 410-23-2321
 412-57-6740
 412-25-0514
 413-23-32E4

IDENTIFICATION DATA UPDATED 1977.10.12

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE
 FOLLOWING:
 FBI - FBI/35144VA2 - COURT DISPOSITION PENDING
 CONVICTION STATUS UNKNOWN

END - LET NCIC 111 RECORD FOR MULTIPLE RESPONSE

C-13

E
X
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B
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T
#D



STATE OF TENNESSEE
DEPARTMENT OF HEALTH
CENTRAL SERVICES BUILDING
421 5TH AVENUE NORTH
NASHVILLE, TENNESSEE 37247-0450

January 12, 1999

Ms Maggie Wallace
313 Trinity
Columbia, MO 65203

Dear Ms Maggie Wallace:

RE: CERTIFICATE OF BIRTH: Marcus DeAngelo Jones 7/1/76 #845172

The enclosed is a CERTIFIED COPY of the new certificate that was prepared in accordance with legal papers submitted and contains all the information that is required by T.C.A. 68-3-311.

If an error has been made on the information entered on the certificate, immediately return the certified copy and state the correct information on the bottom of this letter. **DO NOT WRITE ON THE ENCLOSED CERTIFICATE.** If all facts are correct on the birth certificate, no response is necessary.

If we do not hear from you within 2 weeks, the case will be placed under seal.

Sincerely,

Amanda Tidwell

Amanda Tidwell
Office of Vital Records

Enclosure

D-1



STATE OF TENNESSEE
DEPARTMENT OF HEALTH
CENTRAL SERVICES BUILDING
421 5th AVENUE NORTH
NASHVILLE, TN 37247-0450

Marcus Jones
Boone County Detention Center
2121 County Drive
Columbia MO 65202

August 16, 2000

Dear Mr Jones:

Re: Certificate of birth: Marcus Deangelo Jones 7/1/1976

You will need to contact Juvenile Court in Shelby County to obtain a copy of the court order that was used to make changes to your birth certificate. We do not issue letters stating what a name is changed from.

If you have any questions you can contact me at (615) 532-2654.

Sincerely

A handwritten signature in cursive script, reading "Lynn Price", is written over the word "Sincerely".

Lynn Price
Office Supervisor 1
Adoption and Legitimation Unit

D-2
2

IN THE JUVENILE COURT OF MEMPHIS AND SHELBY COUNTY, TENNESSEE

Tennessee Department of Human Services
 Assignee of Maggie M. Lee
 Petitioner

V.

Docket No. 33,294

John L. Jones
 Defendant

CONSENT ORDER

This cause came on to be heard upon a sworn petition to establish paternity and provide support for

Marcus DeAngelo Lee born July 1, 1976

And it being evident to the Court by the signatures of the parties that they do place themselves before this Honorable Court and acknowledge its jurisdiction and admit the following:

1. That they have been fully advised of their legal rights and that a hearing before the Court is hereby expressly waived.
2. That the defendant is the natural father of said child (ren) and that he is able to pay \$10.00 per week toward the support and education of said child (ren) and agrees to pay said amount to the Clerk of this Court, and that the same is agreeable to the petitioner.
3. That they are aware that on this agreement is based the Order of this Court, and that failure to comply herewith, without just cause, places them in contempt of Court and subjects them to such action as the Court deems proper within its jurisdiction.

Having considered the admissions and agreement of the parties, it is the judgment of the Court that the defendant is the natural father of said child (ren).

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED:

1. That said child (ren) shall be a legitimate child (ren) of the defendant for purposes of inheritance, support, and all other lawful purposes.
2. That the defendant pay all medical expenses incident to the birth of said child (ren) and that he pay \$10.00 per week to the Clerk of this Honorable Court toward the support of said child (ren), the first payment to be made on or about the 2 day of June, 1978.
3. That the name of said child be and is hereby changed to that of the natural father and said child shall henceforth be known as Marcus DeAngelo Jones.
4. That John S. Richbourg, the attorney for the petitioner, herein awarded a fee of \$50.00 to be paid by the defendant.

This 14th day of June, 19 78
[Signature]
 Juvenile Court Judge

CONSENTED
 Tennessee Department of Human Services
 By: [Signature]
 Petitioner

John L. Jones
 Defendant

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 JC-38

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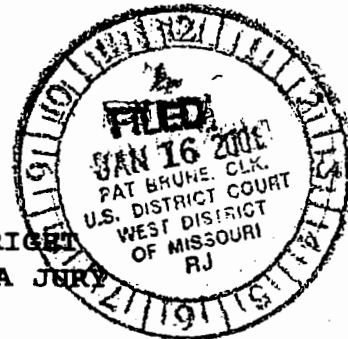


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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION

UNITED STATES OF AMERICA,) Case No. 00-4010-CR-C-SOW
Plaintiff,) Jefferson City, Missouri
v.) July 25, 2000
MARCUS DEANGELO JONES,)
Defendant.)

VOLUME II
TRANSCRIPT OF TRIAL
BEFORE THE HONORABLE SCOTT O. WRIGHT
UNITED STATES DISTRICT JUDGE and A JURY



APPEARANCES:

For the Plaintiff: Anthony Gonzalez, Esq.
AUSA
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(573) 634-6144

For the Defendant: Cyril M. Hendricks, Esq.
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Court Audio Operator: Ms. Laura Bax

Transcribed by: Rapid Transcript
Lissa C. Whittaker
1001 West 65th Street
Kansas City, MO 64113
(816) 822-3653

Proceedings recorded by electronic sound recording,
transcript produced by transcription service.

E-11

Jones - Direct

II-216

1 Q. Do you remember what time it was that you purchased that?

2 A. No. I just remember it was back in August -- the 16th,
3 18th, something like that.

4 Q. Okay. And did you go in there by yourself?

5 A. Me and my little brother went in there, really, because a
6 lot of times I helped my step-dad move people around, and we
7 helped somebody move in the Georgetown area of Columbia
8 and --

9 MR. GONZALEZ: Okay. Judge, I'm going to object as
10 not being responsive. It was just asked if did he go in
11 alone and he's telling a story.

12 THE COURT: All right.

13 BY MR. HENDRICKS:

14 Q. You went into the pawnshop?

15 A. Yes, sir.

16 Q. And did you, at that time, fill out an application to
17 purchase the gun?

18 A. Well, yeah. I filled it out. Well, I didn't fill it all
19 the way out, but I filled some parts out and then he told me
20 to leave, he going do a check, and he'll call me and to come
21 back, put down a down payment.

22 Q. Okay. I'm going to hand you what the state has
23 previously introduced as -- or the Government has introduced
24 as #4 and show you what is a firearms transaction record.
25 Are you familiar with that document?

~~2~~

E-2

Jones - Direct

II-217

1 A. Yes, sir.

2 Q. And what is that document?

3 A. This is the form that I was -- filled half -- I filled
4 out some of here.

5 Q. Okay. What part of the document did you fill out?

6 A. Practically, I filled out like from 1 through, I think
7 there's I or 5I or, I don't know, 5 -- you know or L.

8 Q. Okay. Mr. Jones, in this document under 9C it asks if
9 you'd ever been -- well, let me start first. At the time
10 that you filled this out, where were you residing?

11 A. 229 Sycamore, Fulton, Missouri.

12 Q. Okay. And also at the time you filled out that document,
13 there's a question there that asks if you'd ever been
14 convicted of a felony in which you served more than a year or
15 had a penalty of more than a year. Were you familiar with
16 that question?

17 A. Yes, sir.

18 Q. And did you answer that question when you filled it out?

19 A. I had wrote a cursive yes, and he -- the pawnshop owner
20 looked at me because he had questioned me before I had picked
21 up the form about felonies. And I told him, well, I had been
22 arrested and been incarcerated in the state of Tennessee.
23 But I pled to some statute were they said I'm not pleading
24 guilty because I'm guilty, but because of the circumstances
25 and the offer that they was offering me.

Jones - Direct

II-218

1 Q. Is that, I mean, is that -- I know no one's familiar with
2 it, but there is such a plea to where you actually enter a
3 plea without actually saying that you're guilty, is that what
4 you're saying?

5 A. Yes, sir.

6 Q. And did you understand anything as far as what you would
7 received as punishment for that?

8 A. Yes, I mean, I had to do a jail sentence, but the jail
9 sentence that I would have normally get for the crime, the
10 state dropped it or -- well, gave me the lowest that they
11 could possibly give me and told me that in like five years
12 from that day, that it could be possible that my record would
13 be wiped clean.

14 Q. Okay. Are you, at the time that you filled out that
15 application, did you, were you aware that you had been
16 convicted of a felony?

17 A. Yeah.

18 Q. Okay.

19 A. And I had wrote also in this 9C, it was a cursive yes.

20 Q. Okay.

21 A. I did not put this circle there. That's when he was
22 like, well, you been -- I was like, well, you know, he said
23 I'm just going to run it anyway just to see what happened
24 because I was explaining to him how the plea agreement and
25 stuff went and he said, well, if you've been convicted, it's

E-4 4

Jones - Direct

II-219

1 going to come back when I run it through this nationwide
2 check, it's going to come back that you've been convicted
3 anyway if you've been convicted. So, I was like, all right,
4 and he said, I'll call you and let you know, so.

5 Q. Okay. What Social Security number did you use?

6 A. 415-25-8584.

7 Q. Okay. And is that the one that you'd used previously
8 when you were under the -- using the name of Lee?

9 A. Yes, sir.

10 Q. And were you advised what happened as far as that record
11 check was concerned?

12 A. Yes, sir.

13 Q. And what happened? I mean, did they --

14 A. He called me back on my cellular phone and told me that
15 I'd been approved, that if I want the gun, that I need to
16 come down there because he don't hold it. He wasn't going to
17 hold it until I had all the money, that if I just come and
18 put a down payment, and as of the down payment, I brung him
19 some items. And I think like \$25 cash and a couple of items.
20 And he was like, okay, now you need to go out fill out an
21 application at the Callaway County Sheriff's Department and
22 see if give you a permit.

23 Q. Okay. Did you fill out an application for the Callaway
24 County Sheriff's Department?

25 A. I don't think I filled it out, but I was talking to a

~~HB~~
E-5 5

Jones - Direct

II-220

1 woman. I gave the clerk my IDs and was talking to her
2 through a glass.

3 Q. And did -- you went to the Sheriff's Department and you
4 requested that you be issued a permit.

5 A. Uh-huh.

6 Q. And what name did you use on that?

7 A. Marcus Deangelo Jones.

8 Q. And did you use the same Social Security number?

9 A. Yes, sir.

10 Q. And do you know the result? Were you issued a permit to
11 have a weapon?

12 A. Yes, sir. Because three days -- they told me to come
13 back in like three days, or just call in three days that they
14 would have the results or whatever back from the permit.

15 Q. And did you go back in three days?

16 A. Yeah, I called first to see what was going on.

17 Q. And were you issued the permit?

18 A. Yes, he told me to bring \$10 and pick up my permit.

19 Q. And did you do that?

20 A. Yes, sir.

21 Q. And did you the possession of the gun?

22 A. Yes, sir.

23 Q. You had previously been convicted of crimes, is that
24 correct?

25 A. Yes, sir.

EG 6

II-256

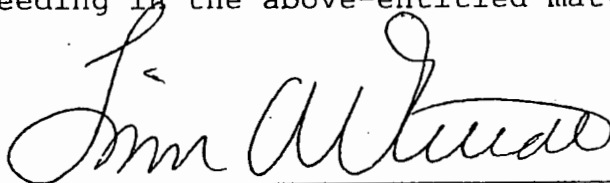
1 possession of it. A person, although not in actual
2 possession, has both the power and the intention at a given
3 time to exercise dominion or control over a thing, either
4 directly or through another person or persons, is then in
5 constructive possession of it. If one person alone has
6 actual or constructive possession of a thing, possession is
7 sole. If two or more persons share actual or constructive
8 possession of a thing, possession is joint. Whenever the
9 word possession has been used in these instructions, it
10 includes actual as well as constructive possession, and also
11 sole as well as joint possession. Instruction No. 10. For
12 you to find the defendant guilty of any count charged, the
13 Government must prove all the essential elements beyond a
14 reasonable doubt as to that count. Otherwise, you must find
15 the defendant not guilty of that count. Instruction No. 11.
16 You've heard testimony that the defendant made a statement to
17 Ben White of the Columbia Police Department. It is for you
18 to decide first whether the defendant made the statement, and
19 second, if so, how much weight you should give to it. In
20 making these two decisions, you should consider all the
21 evidence, including the circumstances under which the
22 statement may have been made. Instruction No. 12. The crime
23 of being a felon in possession of a firearm, as charged in
24 Counts I and III of the Indictment, has three essential
25 elements, which are, one, the defendant had been convicted of

II-257

1 a crime punishable by imprisonment for a term exceeding one
2 year. Two, the defendant, therefore, knowingly possessed a
3 firearm, that is a Makarov .9mm pistol. And three, the
4 firearm was transported across state line at some time prior
5 to the defendant's possession of it. You're instructed that
6 burglary of a motor vehicle, unlawful possession with intent
7 to sell cocaine, escape from incarceration, unlawful
8 possession of a deadly weapon, and the sale of cocaine are
9 each crimes punishable by imprisonment for more than one
10 year. If you found beyond a reasonable doubt that the
11 firearm was manufactured in a place other than Missouri, and
12 that the defendant possessed the firearm in the state of
13 Missouri, then you may, but are not required to find that it
14 was transported across the state line. The term firearm
15 means any weapon, including a starter gun, which will or is
16 designed to or may be readily converted to expel a projectile
17 by the action of explosive. The term interstate commerce
18 includes the movement of a firearm between any place in one
19 state and any place in another state. It's not necessary for
20 the Government to prove that the defendant knew that the
21 firearm had been moved in interstate commerce before the
22 defendant possessed it. Only that he made such movement.
23 Instruction No. 13. The crime of making a false statement in
24 the acquisition of a firearm, as charged in Count II of the
25 Indictment, has three essential elements, which are, one, the

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I certify that the foregoing is a correct transcript from the electronic sound recording of the proceeding in the above-entitled matter.



Signature of transcriber



Date